

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

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UNITED STATES OF AMERICA, *et al.*,  
*ex rel.* CIMZNHCA, LLC,

Plaintiff,

v.

UCB, INC.; RXC ACQUISITION  
COMPANY d/b/a RX CROSSROADS;  
OMNICARE, INC.; and CVS HEALTH  
CORPORATION,

Defendants.

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Case No. 3:17-CV-765-SMY-MAB

**DECLARATION OF NICHOLAS C. PERROS**

I, Nicholas Perros, declare as follows:

1. I am an attorney with the United States Department of Justice, where I currently serve as a Trial Attorney in the Fraud Section of the Civil Division. I submit this Declaration in support of the United States' Motion for Reconsideration of the Court's April 15, 2019 Memorandum and Order denying the United States' motion to dismiss the above-captioned matter. I am one of the Department of Justice attorneys assigned to certain of the *qui tam* complaints filed by affiliates of Venari Partners LLC, dba, "National Healthcare Analysis Group" ("NHCA Group Relators"). I have personal knowledge of the matters discussed in this declaration.

2. On October 27, 2017, I received an email from attorney Marc Mukasey advising that he and his law partner, Rudy Giuliani, "have been asked to help advise NHCA Group and John Meninno with certain *qui tam* actions." The email stated that they "understand some of

these matters are approaching critical decisions and we'd like to discuss." A true and correct copy of this email is attached hereto as Exhibit 1.

3. On October 31, 2017, I and my colleague, attorney Paul Perkins, participated in a conference call with NHCA Group attorney Marc Mukasey. During the conference call, we discussed certain NHCA Group cases filed by affiliates of CIMZNHCA, LLC, which involve substantially the same allegations implicating the same industry practices and legal issues. I created a written summary of the discussion immediately following the conference call. Among other things, Mr. Mukasey requested that the United States forbear on seeking dismissal of any NHCA Group *qui tam* actions. Mr. Mukasey also indicated that he thought there should be "coordination" on the various NHCA Group cases filed in different districts, and Mr. Mukasey advised that he and Mr. Giuliani would be willing to meet with Government counsel to discuss NHCA Group cases.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 29th day of April, 2019.

  
Nicholas Perros

# **EXHIBIT**

# **1**

**Perros, Nicholas C. (CIV)**

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**From:** mukaseym@gtlaw.com  
**Sent:** Friday, October 27, 2017 1:34 PM  
**To:** Perros, Nicholas C. (CIV); Perkins, Paul R. (CIV)

Paul, Nick - I'm the Global Chair of White Collar Defense and Special Investigations at Greenberg Traurig and together with my partner, Rudy Giuliani, have been asked to help advise NHCAGroup and John Meninno with certain qui tam actions. We understand some of these matters are approaching critical decisions and we'd like to discuss. Please call me ASAP at [REDACTED]. Thx. Marc Mukasey.

Sent from my iPhone

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If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate such information.